

REMARKS

Applicants appreciate the notification in the Office Action of allowable subject matter, i.e. that claims 1-9 and 15-20 are allowed.

Claims 1-22 are pending. Claims 10 and 22 have been amended, claim 21 canceled, and claim 23 added. No new matter has been added by virtue of the amendments, support therefore appearing in the original claims and specification.

Claims 10-14, 21, and 22 are rejected under 35 U.S.C. 103(a) over Yamada in view of Sahatijian and further in view of Krasner. The rejection is traversed.

Applicants respectfully submit that no combination of Yamada, Sahatijian and Krasner teach or suggest a method for implanting an intraocular lens in an eye and adjusting refractive power of the intraocular lens at any time following implantation wherein, after the intraocular lens is inserted into an incision in the eye and implanted in the eye, the movable implantation and injection member are removed from the lens, the self-sealing mechanism on the lens seals the lens, the movable member is removed from the eye while the intraocular lens remains in the eye, the incision is closed, and, at any subsequent time, the refractive power of the intraocular lens is adjusted by inserting an injection device via the self-sealing mechanism into the intraocular lens to adjust the amount of optical medium in the intraocular lens, as set forth in Applicants' independent claims 10 and 22.

Applicants further submit that no combination of Yamada, Sahatijian and Krasner teach or suggest an intraocular lens system that includes a flexible deflated lens member having an interior compartment and a self-sealing mechanism, wherein the self-sealing mechanism configured to seal the lens member when the movable member is removed from the lens member and wherein the self-sealing mechanism configured to allow subsequent access to the interior of the lens member, so that the amount of medium within the lens member can be increased or decreased, at any time after the moveable member is removed from the lens member and the lens member sealed, as set forth in applicants' independent claim 23.

The Yamada reference describes a balloon member 12 mounted on a catheter 28 via a tube 14 in the balloon. Fluid is injected into the balloon member 12 through the catheter 28. After the balloon member is inflated, the catheter is removed from the tube and the tube is sealed. The tube is then cut by scissors, heat, or a laser and sealed to prevent leakage of material out of the balloon member. The tube can be sealed by plugging the tube with a rod or melting the tube. In some embodiments, a gel filler is located within the tube. Upon removal of the catheter 28, the gel filler seals the tube. However, Yamada does not teach or suggest that any of the disclosed sealing mechanisms allows for or could allow for subsequent insertion into the balloon member via the tube, after the tube has been sealed, to adjust the amount of fluid in the balloon. Yamada is completely silent with respect to reinsertion of anything into the sealing mechanism after the mechanism is sealed.

Further, Yamada does not teach or suggest a method wherein, after the balloon is inflated and the tube sealed, and the eye closed, an injection device is subsequently inserted into the balloon via the sealing mechanism and the amount of optical medium in the balloon adjusted.

Sahatjian does not remedy these deficiencies. Rather, Sahatjian relates to a method and device for taking a bodily sample from a blood vessel of a patient and does not relate at all to insertion, inflation, and subsequent adjustment of the medium within a lens member via a sealing mechanism.

The Office asserts that “Krasner teaches column 3, lines 15-19, the method of inserting an injection device in an already implanted lens for adjusting the amount of fluid within the lens after it has already been inserted in place” and that “The self sealing gel 16 of Yamada would allow the function of re-inserting an injection device into the intraocular lens to adjust the amount of medium in the lens” and thus, it would be obvious to “modify Yamada to re-insert an injection device in the lens to adjust the fluid in the lens as taught by Krasner.”

Applicants respectfully traverse. While Yamada describes a self-sealing gel, Yamada does not teach or suggest that this gel, after it self-seals, is even capable of reinsertion of a device and subsequent removal of the device. There is absolutely nothing in the Yamada reference that describes or suggests that this is a possible or desirable.

Krasner describes a soft optic is formed by a transparent bag 28 having a thickened periphery 32 around the entire circumference of the bag 28. The thickened periphery 32 allows for small punctures to be made in the bag by a fine needle to adjust fluid therein.

Applicants respectfully submit that there is no suggestion or motivation to combine and modify Yamada and Krasner as suggested by the Office. Yamada describes a balloon 12 mounted on a catheter 28 via a tube 14 in the balloon. The tube provides an opening in the balloon periphery through which the catheter is inserted and through which fluid may be injected into the balloon. Yamada's tube includes a gel filler that seals when the catheter is removed from the tube. Krasner, on the other hand, describes a bag 28 absent any opening of any type and, thus, absent any self-sealing mechanism for sealing an opening. Krasner's bag has a thickened periphery that allows small needles to be inserted and removed through the bag without leakage of the substance from the bag. Yamada's gel is a different material and provides a different function than that provided by Krasner's thickened periphery. Yamada's gel acts to plug up and seal a relatively large sized hole in the tube. Krasner's thickened periphery allows small needles to be inserted and removed through the bag without leakage of the substance from the bag. However, such a thickened periphery would not provide for insertion of Yamada's catheter therethrough and sealing of the opening formed by the catheter.

Further, a combination of Yamada and Krasner still would not teach or suggest Applicants' invention. Rather, all that Krasner adds to Yamada is that a thickened periphery could be formed about Yamada's balloon to allow for insertion of fine needles therethrough. However, such a combination does not teach or suggest a flexible deflated lens member having an interior compartment and a self-sealing mechanism, wherein the self-sealing mechanism configured to seal the lens member when a movable member is removed from the lens member

and wherein the self-sealing mechanism configured to allow subsequent access to the interior of the lens member, so that the amount of medium within the lens member can be increased or decreased, at any time after the moveable member is removed from the lens member and the lens member sealed.

Thus, Krasner merely provides a thickened lining that surrounds the entire periphery of the lens, while Applicant provides a self-sealing mechanism which fills an opening in a lens formed by a moveable member, such that the lens can be accessed again after sealing via the self-sealing mechanism in the opening.

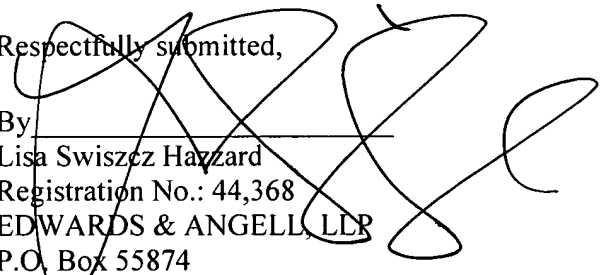
Accordingly, it is respectfully submitted that claims 10, 22, and 23 are patentable over Yamada, Sahatijian, and Krasner. Claims 11-14 depend from claims 10, 22 and 23 and, likewise, are patentable over Yamada, Sahatijian, and Krasner. Reconsideration and withdrawal of the rejection is respectfully requested.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

If for any reason a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge or credit Deposit Account No. 04-1105 under Order No. 56247 (71699).

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Respectfully submitted,

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